

Members

Sen. Marvin Riegsecker, Chairperson
Sen. Rose Antich-Carr
Rep. Sheila Klinker
Rep. Robert Alderman
Suda Hopkins
Sally Lowery
Ervin Picha
Joanne Warner
Thomas Van Meter
Betty Williams
Sylvia Marie Brantley
Christopher Durcholz



INDIANA COMMISSION ON MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

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MEETING MINUTES¹

Meeting Date: October 21, 2003
Meeting Time: 10:30 A.M.
Meeting Place: State House, 200 W. Washington
St., Room 125
Meeting City: Indianapolis, Indiana
Meeting Number: 4

Members Present: Sen. Marvin Riegsecker, Chairperson; Rep. Sheila Klinker; Rep. Robert Alderman; Ervin Picha; Joanne Warner; Thomas Van Meter; Betty Williams; Sylvia Marie Brantley; Christopher Durcholz.

Members Absent: Sen. Rose Antich-Carr; Suda Hopkins; Sally Lowery.

1. **Call to Order:** The Chairman called the meeting to order at 10:45 A.M.
2. **Discussion of Resolution:** The Commission discussed the Concurrent Resolution draft which urges the Commission to hold a joint meeting with the Indiana Commission on Mental Health during the 2004 interim. (Exhibit 1) Members expressed their support. Representative Alderman made a motion which was seconded by Representative Klinker to approve the Resolution for introduction in 2004. The motion carried on a unanimous voice vote. On October 27th the Resolution will be presented to

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

the Indiana Commission on Mental Health to gain joint approval.

3. Discussion of PD 3402 - Bill Draft Requiring Training for Law Enforcement Officers on Interaction with Persons with Mental Retardation, Developmental Disabilities (MR/DD), Mental Health, and Addiction Issues and Requiring That Priority Be Given to Diversion Programs for Community Correction Grants: After the attorney for the Commission explained PD 3402, there was discussion of the draft. (Exhibit 2)

Ms. Kristen Schunk, Director of Fiscal Services for the Division of Disability, Aging and Rehabilitative Services (DDARS), Family and Social Services Administration (FSSA), expressed concerns with the language in the draft which required that FSSA certify persons who would be providing training. FSSA believes that certification would require a formal procedure, including the adoption of rules, which would take too long. FSSA prefers that the persons who will teach the classes be approved by FSSA.

Mr. John Dickerson, Association of Retarded Citizens (ARC) of Indiana, supported the concept of training in the bill draft. ARC of Indiana agreed that approval of persons to teach the courses was sufficient, and Mr. Dickerson suggested that the teachers be jointly approved by FSSA and the Law Enforcement Training Board. Mr. Dickerson also stated that he would support an amendment which would provide for an overall requirement of six hours of training in mental health, addiction, mental retardation, and developmental disabilities instead of the specific hours required in PD 3402. He wants to see the draft keep moving so that it can be considered in January.

Mr. Randy Koester, Deputy Commissioner for External Relations, Department of Correction (DOC), suggested that PD 3402 was too broad in requiring training for all DOC personnel and asked that it be limited only to the DOC personnel who would actually have contact with persons with mental illness, addiction, mental retardation, or developmental disabilities. Mr. Koester told the Commission that persons covered by the bill were not in all correctional facilities but in specified facilities and programs. Commission members expressed concern that changes in an inmate's condition could occur over time which would necessitate reevaluation for persons in the correctional system. The concern was that if not all staff received the training, and if an inmate's status changed, no one would be qualified to identify the issues and provide for transfer or treatment for the inmate. Mr. Koester assured the Commission that inmates are periodically evaluated to find the appropriate programs.

Ms. Jane Seigel, Executive Director, Indiana Judicial Center, addressed the provisions in the bill requiring training for probation officers. Ms. Seigel testified that probation officers receive training in regional meetings throughout the year and then in Indianapolis every May. There is a judicial probation committee which routinely reevaluates the training required for probation officers. The issue for probation officers is not training in identifying problems but in finding programs where persons can receive assistance and treatment.

Ms. Terri Hively, County Home Association, applauded the Commission for addressing the importance of training.

Mr. Scott Mellinger, Executive Director, Law Enforcement Training Academy, provided the Commission with information on current training (Exhibit 3) and discussed measures that the Law Enforcement Training Board has already taken to improve training

in the areas of mental health, addiction, mental retardation, and developmental disabilities. He informed the members that there are six different academies in Indiana under the jurisdiction of the Law Enforcement training Board. He expressed concerns with training after the basic training. Mr. Mellinger endorsed the idea of a total of six hours of training to be divided among the areas of concern. He also indicated that setting aside three hours of the sixteen hours required for continuing education would be better addressed in composite form instead of setting aside three specific hours of training.

Mr. Nick Gulling, Sheriff of Hendricks County and Member of the Law Enforcement Training Board, reinforced Mr. Mellinger's comments. Most officers receive the training under the continuing education mandate in their own geographic areas. Sheriff Gulling also discussed the issue of finding programs to provide services when law enforcement personnel have identified persons with mental health, addiction, mental retardation, and developmental disability issues. Sheriff Gulling indicated that discussions are already going on between the Law Enforcement Training Board, FSSA, and other interested parties.

The members asked that the Law Enforcement Training Board report back to the Commission next year on progress in the discussions with providers of services.

By consent, the Commission agreed to amend PD 3402 to:

- (1) Require that the trainers for initial training be approved by FSSA and the Law Enforcement Training Board and make conforming changes;
- (2) Make the training an aggregate of 6 hours total to be divided among mental retardation, addiction, mental retardation, and developmental disabilities;
- (3) Make continuing education in the four areas a requirement without mandating a number of hours; and
- (4) Change the language which requires training for all DOC personnel to require training only for those who have contact with the covered populations.

The Commission, on a motion made by Representative Sheila Klinker and seconded by Sylvia Brantley, unanimously approved PD 3402 as amended on a voice vote. The draft will be presented to the Commission on Mental Health at its October 27 meeting.

4. Other Business: The Commission is not required to file a final report but will submit an informational report which lists the drafts recommended, and provides information on access to the minutes of the Commission's meetings.

The meeting was adjourned at 12:00 P.M.